

Notice of Allowability

Application No.

10/521,739

Examiner

Ching Chang

Applicant(s)

RABHI, VIANNEY

Art Unit

3748

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-57.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 01/19/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

This Office acknowledges the Preliminary Amendment filed on 10/03/2005.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Benoit Castel on August 29, 2006.

The application has been amended as follows:

IN THE SPECIFICATION:

- On Page 1, before line 5, insert -- This application is the 35 USC 371 national stage of International Application PCT/FR03/02271 filed on July 18, 2003, which designated the United States of America. International Application PCT/FR03/02271 claims priority to French Application No. 02 09323, filed on July 23, 2002. --.

IN THE CLAIMS:

- In line 2 of claim 1, " characterized in that it comprises : " is changed to -- comprising --.
- In line 36 of claim 1, " jack " is changed to -- jacks --.
- In line 6 of claim 6, " seat " is changed to -- seats --.

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- In lines 2-3 of claims 2-51, and 53-57, " characterized in that " is replaced by -- wherein --.
- In line 2 of claim 20, " claim 18 " is changed to -- claim 19 --.
- In line 2 of claim 25, " claim 18 " is changed to -- claim 22 --.
- In line 2 of claim 29, " claim 1 " is changed to -- claim 28 --.
- In line 30 of claim 30, " claim 1 " is changed to -- claim 28 --.
- In line 4 of claim 30, " the opening sleeve " is changed to -- an opening sleeve --.
- In line 7 of claim 30, " the plug " is changed to -- a plug --.
- In line 9 of claim 30, " the valve " is changed to -- a valve --.
- In line 2 of claim 31, " claim 28 " is changed to -- claim 29 --.
- In line 2 of claim 37, " claim 1 " is changed to -- claim 36 --.
- In line 2 of claim 38, " claim 36 " is changed to -- claim 37 --.
- In line 6 of claim 44, " the closing " is changed to -- a closing --.
- In lines 4-5 of claim 45, " the plug rotor (27), the selector rotor (38) and the closing selector rotor " is changed to -- a plug rotor (27), an opening selector rotor (38) and a closing selector rotor --.
- In line 2 of claim 47, " claim 23 " is changed to -- claim 45 --.
- In line 2 of claim 48, " claim 1 " is changed to -- claim 44 --.
- In line 12 of claim 48, " the valve lift " is changed to -- a valve lift --.
- In line 13 of claim 48, " the valve opening " is changed to -- valve opening --.

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- In line 14 of claim 48, " the valve opening " is changed to -- a valve opening --.
- In line 16 of claim 48, " the valve closing " is changed to -- a valve closing --.
- In line 2 of claim 49, " claim 1 " is changed to -- claim 48 --.
- In line 2 of claim 50, " claim 1 " is changed to -- claim 48 --.
- In line 4-5 of claim 50, " the opening collector (68) and the closing collector " is changed to -- an opening collector (68) and a closing collector --.
- In line 2 of claim 51, " claim 1 " is changed to -- claim 50 --.
- In line 6 of claim 51, " the same " is changed to -- a same --.
- In line 2 of claim 52, " claim 1 " is changed to -- claim 48 --.
- In line 3 of claim 52, " characterized in that " is replaced by -- further comprising --.
- In lines 3-4 of claim 53, " the valve opening advance fork (61), the valve lift fork (62) and the valve closing " is replaced by -- a valve opening advance fork (61), a valve lift fork (62) and a valve closing --.
- In line 2 of claim 54, " claim 1 " is changed to -- claim 18 --.
- " the common " in line 5 of claim 54 is changed to -- a common --.
- " which comprises, in particular, the common " in line 6 of claim 54 is changed to -- which comprises a common --.
- In line 8 of claim 54, " the engine " is changed to -- an engine --.

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- In line 10 of claim 54, " the pressurized " is changed to -- a pressurized --.
- In line 14 of claim 54, " the additional " is changed to -- an additional --.
- In line 3 of claim 55, " the same " is replaced by -- the --.
- In line 5 of claim 56, " the outlet " is changed to -- an outlet --.
- In line 3 of claim 57, " the common " is changed to -- a common --.

Reasons For Allowance

2. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the claimed combination including the limitations directed to the specifics of a hydraulic engine valve actuator, comprising one hydraulic positive displacement pump rotating at a speed proportional to that of the engine crankshaft, and at least one valve closing selector which makes it possible to direct the hydraulic fluid contained in a hydraulic jack of at least one engine valve kept open by an opening nonreturn valve toward the inlet or inlets of the hydraulic positive displacement pump and to prevent the hydraulic fluid contained in their hydraulic jacks from being introduced into the hydraulic jack of another valve or other valves which is or are to remain in a closed position, is not disclosed or rendered obvious the art of record.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

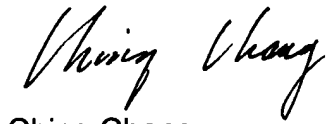
- Diehl et al. (US Patent 6,857,403).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ching Chang whose telephone number is (571)272-4857. The examiner can normally be reached on M-Th, 7:00 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Denion can be reached on (571)272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Patent Examiner

A handwritten signature in black ink, appearing to read "Ching Chang". The signature is written in a cursive, flowing style with some loops and flourishes.

Ching Chang